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DURVET, INC.

16 UNITED STATES DISTRICT COURT
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18 NORTHERN DISTRICT OF CALIFORNIA
19
20 SAN FRANCISCO DIVISION

21 FARNAM COMPANIES, INC.,

22 Plaintiff,

23 v.

24 DURVET, INC.,

25 Defendant.

Case No. 3:07-cv-05367-CRB

STIPULATION AND [PROPOSED] ORDER
CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES

Honorable Charles R. Breyer
United States District Judge

Complaint Filed: October 19, 2007
Trial Date: Not Yet Set

STIPULATION

The parties, by and through their respective counsel of record, stipulate and agree that the Initial Case Management Conference and related initial case management deadlines be continued as set forth below.

A. Prior Time Modifications

On November 20, 2007, this Court issued an order based on a stipulation of the parties granting Defendant Durvet, Inc. ("Durvet") an extra 30 days, through and including December 12, 2007, within which to respond to Plaintiff Farnam Companies, Inc.'s ("Farnam's") Complaint. (Docket No. 8.)

B. Reasons For Requested Continuance

Durvet was given an extra 30 days to review, investigate, and respond to the Complaint. The parties believe they will need a corresponding extension of time following Durvet's response to the Complaint to evaluate the response and their respective positions going forward, prepare for and accomplish the various case management-related obligations, and prepare for the Initial Case Management Conference. The parties believe this brief extension will improve the quality and efficiency of their Fed. R. Civ. P. 16(f) conference and Fed. R. Civ. P. 26(a) initial disclosures, as well as the subsequent Initial Case Management Conference before the Court.

C. Proposed Change to Initial Case Management Conference and Related Deadlines

The parties stipulate and respectfully request that the Initial Case Management Conference in this action be continued from the current date of January 25, 2008 to the new date of **February 22, 2008 at 8:30 a.m.** In accordance with the provisions of the Order Setting Initial Case Management Conference and ADR Deadlines (Docket No. 3) ("Initial CMC Order"), the parties further stipulate and respectfully request that the other pre-Conference deadlines set forth

1 in the Initial CMC Order be continued in accordance with the continuance of the Initial Case
2 Management Conference.

3
4 **SO STIPULATED.**

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6 Dated: December 6, 2007

7 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

8
9 By /s/ Nathaniel Bruno
10 NEIL A. SMITH
11 NATHANIEL BRUNO
12 Attorneys for Defendant
DURVET, INC.

13 Dated: December 6, 2007

14 ORRICK HERRINGTON & SUTCLIFFE LLP

15
16 By /s/ Sarah C. Marriott
17 SARAH C. MARRIOTT
18 Attorneys for Plaintiff
FARNAM COMPANIES, INC.

19 As the attorney e-filing this documents, I, Nathaniel Bruno, attest that Sarah C. Marriott has
20 concurred in the filing of this document.
21 /s/ Nathaniel Bruno

ORDER

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN:

IT IS HEREBY ORDERED that the Initial Case Management Conference in this action is continued from the current date of January 25, 2008 to the new date of **February 22, 2008 at 8:30 a.m.** IT IS HEREBY FURTHER ORDERED that all other pre-Conference deadlines set forth in the Order Setting Initial Case Management Conference and ADR Deadlines (Docket No. 3) are continued accordingly.

SO ORDERED.

Dated: _____

The Honorable Charles R. Breyer
United States District Court Judge